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5 UNITED STATES DISTRICT COURT

6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,

No. 4:16-MJ-7126-MKD-1

8 Plaintiff,

9 vs.
10 FRANCISCO DUARTE FIGUEROA,
11 Defendant.

12 ORDER FOLLOWING INITIAL
APPEARANCE ON COMPLAINT
AND GRANTING THE UNITED
STATES' MOTION FOR
DETENTION

13 **ECF No. 4**

14 On Wednesday, August 17, 2016, the Defendant made his initial appearance
15 on the Complaint (ECF No. 1). The Defendant appeared, in custody, with
16 Assistant Federal Defender Jeremy Sporn and was assisted by federal court-
17 certified interpreter Lourdes Gutierrez. Assistant United States Attorney Alvin
18 Guzman represented the United States.

19 Defendant was advised of, and acknowledged the charge against him and the
20 penalties he faces.

Defendant was advised of, and acknowledged Defendant's rights.

1 The Office of the Federal Defenders was appointed to represent the
2 Defendant.

3 The United States moved for detention (ECF No. 4). The Defendant,
4 personally and through counsel, waived his right to a detention hearing.

5 Accordingly, **IT IS SO ORDERED:**

6 1. The United States' Motion for Detention (**ECF No. 4**) is **GRANTED**.

7 2. Defendant shall be committed to the custody of the Attorney General
8 for confinement in a corrections facility separate, to the extent practicable, from
9 persons awaiting or serving sentences or being held in custody pending appeal.

10 3. Defendant shall be committed to the custody of the Attorney General
11 pending disposition of this case or until further order of the court. If a party desires
12 this Court to reconsider conditions of release because of material and newly
13 discovered circumstances under 18 U.S.C. § 3142(f), that party shall file a motion
14 with the court, served upon the United States Attorney, stating what circumstances
15 are new, how they are established, and the requested change in conditions of
16 release.

17 4. Defendant shall be afforded reasonable opportunity for private
18 consultation with counsel.

19 5. On order of a court of the United States or on request of an attorney
20 for the United States, the person in charge of the corrections facility in which the

1 Defendant is confined shall deliver the Defendant to a United States Marshal for
2 the purpose of an appearance in connection with a court proceeding.

3 6. If a party seeks review of this Order by another court pursuant to 18
4 U.S.C. § 3145(b), counsel shall adhere to the Detention Order Review Protocol
5 found in L.Cr.R. 46(k).

6 7. The United States Probation / Pretrial Services Offices shall complete
7 a post-bail, pretrial services report.

8 8. A probable cause hearing was set for **Friday, August 26, 2016, at**
9 **10:00 AM, before Judge Dimke in Yakima, Washington.**

10 DATED this August 17, 2016.

11 *s/Mary K. Dimke*
12 MARY K. DIMKE
13 UNITED STATES MAGISTRATE JUDGE
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